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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/695,951	10/25/2000	Mark T. Cranna	010211.0045	4713
75	90 04/12/2002			
Mark D Giarratana			EXAMINER	
Cummings & Lockwood 700 State Street			DEXTER, CLARK F	
P O Box 1960 New Haven, CT 06509-1960			ART UNIT	PAPER NUMBER
New Haven, CI	00203-1300		3724	

Please find below and/or attached an Office communication concerning this application or proceeding.





Office Action Summary

Application No. **09/695,951**

Applicant(s)

Examiner

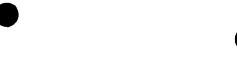
Art Unit

Clark F. Dexter

3724

Cranna et al.

The MAILING DATE of this communication appears	on the cover sheet with the correspondence address
Period for Reply	
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET THE MAILING DATE OF THIS COMMUNICATION.	
communication Failure to reply within the set or extended period for reply will, by	ation.
earned patent term adjustment. See 37 CFR 1.704(b).	, , , ,
Status	·
1) Responsive to communication(s) filed on	
2a) ☐ This action is FINAL . 2b) ☑ This act	
3) Since this application is in condition for allowance closed in accordance with the practice under Ex pa	except for formal matters, prosecution as to the merits is rte Quayle, 1935 C.D. 11; 453 O.G. 213.
Disposition of Claims	
4) 💢 Claim(s) <u>1-40</u>	is/are pending in the application.
4a) Of the above, claim(s)	is/are withdrawn from consideratio
5) Claim(s)	is/are allowed.
6) Claim(s)	is/are rejected.
7)	is/are objected to.
8) 💢 Claims <u>1-40</u>	are subject to restriction and/or election requirement
Application Papers	
9) The specification is objected to by the Examiner.	
10) The drawing(s) filed on is/ar	e objected to by the Examiner.
11) The proposed drawing correction filed on	is: a approved b disapproved.
12) The oath or declaration is objected to by the Exam	
Priority under 35 U.S.C. § 119	
13) Acknowledgement is made of a claim for foreign p	riority under 35 U.S.C. § 119(a)-(d).
a) \square All b) \square Some* c) \square None of:	
1. Certified copies of the priority documents have	re been received.
2. Certified copies of the priority documents have	re been received in Application No
3. Copies of the certified copies of the priority dapplication from the International Bure *See the attached detailed Office action for a list of the	
14) Acknowledgement is made of a claim for domestic	•
Attachment(s)	
15) Notice of References Cited (PTO-892)	18) Interview Summary (PTO-413) Paper No(s)
16) Notice of Draftsperson's Patent Drawing Review (PTO-948)	19] Notice of Informal Patent Application (PTO-152)
17} Information Disclosure Statement(s) (PTO-1449) Paper No(s).	20} Other:



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DETAILED ACTION

Election/Restriction

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - Claims 3-5, 7-14 and 21-40, drawn to a band saw blade with a specific shelf configuration, classified in class 83, subclass 852.
 - II. Claims 15-20, drawn to a band saw blade with a specific gullet configuration, classified in class 83, subclass 835.
 - III. Claim 6, drawn to band saw blade with a specific tooth pattern, classified in class 83, subclass 848.
- 2. It is noted that claim 1 has the features of none of the above subcombinations and will be examined with the elected invention. If claim 1 is ultimately determined to be allowable in its current form, claims dependent therefrom may be rejoined. Further, it is noted that if claim 2 is ultimately determined to be allowable in its current form, claims dependent therefrom may be rejoined.
- 3. The inventions are distinct, each from the other because of the following reasons:
- 4. Inventions of group I and group II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, the specific shelf configuration of group I could be employed without the specific gullet configuration of group II; and conversely, the

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specific gullet configuration of group II could be employed without the specific shelf configuration of group I. See MPEP § 806.05(d).

- Inventions of group I and group III are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, the specific shelf configuration of group I could be employed without the set teeth of group III; and conversely, the set teeth of group III could be employed without the specific shelf configuration of group I. See MPEP § 806.05(d).
- 6. Inventions of group II and group III are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, the specific gullet configuration of group II could be employed without the set teeth of group III; and conversely, the set teeth of group III could be employed without the specific gullet configuration of group II. See MPEP § 806.05(d).
- 7. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.
- 8. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

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9. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(I).

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clark Dexter whose telephone number is (703) 308-1404. The examiner's typical work schedule is Monday, Tuesday, Thursday and Friday, and he can be reached during

normal business hours on these days.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Allan Shoap, can be reached at (703)308-1082.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)308-1148. The fax numbers for this group are: formal papers - (703)305-3579; informal/draft papers - (703)305-9835.

Clark F. Dexter Primary Examiner

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cfd

April 11, 2002

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